

Whereas, actions of one branch of government that encroach upon the duty and authority of another branch erode the Constitution's checks and balances against abuse of power by any branch;

Whereas, the United States Supreme Court has asserted that federal judges have the power under the United States Constitution to levy or increase taxes;

Whereas, this determination places the judicial branch of government in direct competition with state legislatures and limits the fiscal resources available to legislators to serve their constituents' needs;

Whereas, it also gives the federal judiciary a virtual veto-proof spending power over political choices and spending priorities of democratically elected state legislatures;

Whereas, federal courts continue to violate the United States Constitution by ordering states to levy or increase taxes to comply with federal mandates;

Whereas, a proposed amendment to the United States Constitution to prohibit the judiciary's encroachment reads: "Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or political subdivision thereof, or an official of such state or political subdivision, to levy or increase taxes"; and

Whereas, encroachments by one branch of government upon the authority of another branch must be prevented, by a constitutional amendment if necessary, to preserve the balance of power the founding fathers constructed:

Now, therefore, be it *Resolved*, That the Legislature of the state of Utah urge the United States Congress to amend the United States Constitution to prohibit federal courts from levying or increasing taxes.

Be it further *Resolved*, That a copy of this resolution be presented to the Speaker of the United States House of Representatives, the President of the United States Senate, and to the members of Utah's congressional delegation.

POM-286. A resolution adopted by the City Council of Canton, Ohio relative to the proposed "Civil Asset Forfeiture Reform Act"; to the Committee on the Judiciary.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO TERRORISTS WHO THREATEN TO DISRUPT THE MIDDLE EAST PEACE PROCESS—MESSAGE FROM THE PRESIDENT—PM 53

The PRESIDING OFFICER laid before the Senate the following message

from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 29, 1999.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 244. A bill to authorize the construction of the Lewis and Clark Rural Water System and to authorize assistance to the Lewis and Clark Rural Water System, Inc., a nonprofit corporation, for the planning and construction of the water supply system, and for other purposes (Rept. No. 106-130).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 761. A bill to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and for other purposes (Rept. No. 106-131).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. WARNER, for the Committee on Armed Services:

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. John M. Pickler, 0000

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Larry R. Jordan, 0000

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. James T. Hill, 0000

(The above nominations were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MCCAIN:

S. 1467. A bill to extend the funding levels for aviation programs for 60 days; considered and passed.

By Mr. LOTT (for himself, Mr.

DASCHLE, Mr. GRAMM, Mr. SARBANES, Mr. MCCONNELL, Mr. DODD, Mr. BENNETT, Mr. MACK, Mr. LEAHY, Mr. THURMOND, Mr. DOMENICI, Mr. GRAMS, Mr. JEFFORDS, Mr. CRAPO, Mr. COVERDELL, Mr. ROTH, Mr. INHOFE, Mr. BUNNING, Mr. DEWINE, Mr. SPECTER, Mr. HELMS, Mr. CAMPBELL, Mr. DORGAN, Mr. BURNS, Mr. GREGG, Mr. ENZI, Mr. WARNER, Mr. MURKOWSKI, Mr. COCHRAN, Mr. ROBERTS, Mr. NICKLES, Mr. SMITH of Oregon, Mr. CHAFEE, Mr. HUTCHINSON, Mr. STEVENS, Mr. CRAIG, Mr. THOMPSON, Mr. HAGEL, Mr. LUGAR, Mr. HOLLINGS, Mr. KENNEDY, Mr. KERRY, Ms. LANDRIEU, Mr. LEVIN, Mr. LAUTENBERG, Mr. AKAKA, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mr. BYRD, Mr. CLELAND, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. SMITH of New Hampshire, Mr. TORRICELLI, Mr. BREAUX, Mr. SESSIONS, Mr. REID, Mr. ROBB, Mr. BRYAN, Mr. ROCKEFELLER, Mr. VOINOVICH, Mr. THOMAS, Mr. REED, Mr. KERREY, Mr. HATCH, Mr. FRIST, Mr. CONRAD, Mr. JOHNSON, Mr. BAUCUS, Mr. INOUE, Ms. MIKULSKI, and Mr. GORTON):

S. 1468. A bill to authorize the minting and issuance of Capitol Visitor Center Commemorative coins, and for other purposes; considered and passed.

By Mr. CONRAD:

S. 1469. A bill to amend the Community Development Banking and Financial Institutions Act of 1994 with respect to population outmigration levels in rural areas; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LAUTENBERG:

S. 1470. A bill to amend the Clean Air Act to ensure that adequate actions are taken to detect, prevent, and minimize the consequences of accidental releases that result from criminal activity that may cause substantial harm to public health, safety, and the environment; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COCHRAN (for himself, Mr. MCCAIN, Mr. STEVENS, and Mr. GRAMM):

S. Res. 169. A resolution commending General Wesley K. Clark, United States Army; to the Committee on Armed Services.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CONRAD: